

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 8/5/24
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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J.A., individually and on behalf of her child	:
G.K., a minor and J.K., a minor,	:
	:
Plaintiff,	:
-against-	:
	:
NEW YORK CITY DEPARTMENT OF	:
EDUCATION,	:
	:
Defendant.	:
-----	X

23-CV-8547 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on April 9, 2024, Plaintiff moved for attorneys' fees pursuant to the fee-shifting provision of the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1415(i)(3), *see* Mot., Dkt. 31;

WHEREAS on April 3, 2024, this case was referred to Magistrate Judge Tarnofsky to issue a report and recommendation, *see* Dkt. 30;

WHEREAS on August 1, 2024, Defendant filed a letter informing the Court of a case management order filed by the Second Circuit in the tandem appeals *Y.G. v. New York City Department of Education*, No. 22-1184, *see* Letter, Dkt. 61;

WHEREAS the Second Circuit's order provides that additional fee dispute appeals brought by the parties will be remanded to the district court for reconsideration following determination of the *Y.G.* tandem appeals, *id.* at Attachment 2;

WHEREAS even though the order's text is limited to the parties in *Y.G.*, the Second Circuit has been remanding appeals filed by other parties if they raise issues similar enough to those in the *Y.G.* tandem appeals that remand is appropriate, *id.* at Attachment 1 at 1–2; and

WHEREAS Plaintiff's motion raise issues similar to those pending in the *Y.G.* tandem appeals.

IT IS HEREBY ORDERED that this case is STAYED pending the Second Circuit's decision in *Y.G. v. New York City Department of Education*, No. 22-1184.

IT IS FURTHER ORDERED that by not later than two weeks after the Second Circuit decides *Y.G.*, the parties must submit a joint letter notifying the Court of the decision and proposing next steps in this case, including whether the parties believe supplemental briefing is necessary.

**SO ORDERED.**

**Date: August 5, 2024**  
**New York, NY**



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**VALERIE CAPRONI**  
**United States District Judge**